

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : HEITMANN et al.  
International Application No. : PCT/EP00/02479  
International Filing Date : March 21, 2000  
U.S. Serial No. : 09/937,579  
For : **METHOD USING PHOTONIC CRYSTALS  
FOR THE DISPERSION COMPENSATION  
OF OPTICAL SIGNALS OF  
WAVELENGTHS WHICH ARE  
TRANSMITTED TOGETHER**

U.S. Patent and Trademark Office  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202  
Attention: DO/EO/US

**TRANSMITTAL OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed on November 01, 2001). Applicant submits herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the U.S. Patent and Trademark Office is the application which the inventor(s) executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

*Express Mail No. EL243098 617US*

The U.S. Patent and Trademark Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600. The U.S. Patent and Trademark Office is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to Deposit Account No. 11-0600 of Kenyon & Kenyon.

Respectfully submitted,  
KENYON & KENYON

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**CUSTOMER NO. 26646**

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 <small>Commission for Patents, the PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov</small>		
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.

09/937,579

Walter Heitmann

2345/169

INTERNATIONAL APPLICATION NO.

PCT/EP00/02479

I.A. FILING DATE

PRIORITY DATE

03/21/2000

03/26/1999

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CONFIRMATION NO. 2517

371 FORMALITIES LETTER



\*OC000000006995275\*

Date Mailed: 11/01/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY**

*Express Mail No. EL24309861745*

**DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

WINSTON M ALVARADO

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,579	PCT/EP00/02479	2345/169